IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2280 OF 2007
IN
FIRST APPEAL NO.257 OF 2007

Premadevi wd/o. Omarnath Rammurat Dubey
& Ors. ...Applicants
Vs.
Sheshdhar Rajnarayan Dubey & Ors. ...Respondents

Mr. Vivek Salunke i/b. Mr. S.S. Rai, Advocate for Applicants
Mr.J.M.D'Silva Advocate for Respondent

CORAM: SMT.ROSHAN DALVI,J.
DATED: 22ND JUNE, 2007

P.C.

1. An order has been passed in a matter between the same parties in an Appeal from Order No.167 of 2007 in which a Civil Application No.249 f 2007 came to be moved by the Applicants herein who are the Respondents in this Appeal. In that order appointment of Court Receiver was refused. That order has been passed on 22nd March, 2007. Immediately thereafter, this Civil Application has been taken out on 29th March, 2007. Similar reliefs cannot be agitated or granted. Hence, the application is refused.

2. Consequently there is no question of allowing the Respondents to carry on business pending the appeal also. Hence, the Application is rejected.

(SMT. ROSHAN DALVI, J.)